

## Commercial Driver's License Standards: Requirements and Penalties

The licensing provisions in **Part 383** are intended to help reduce accidents by setting standards that:

- Require commercial drivers to be properly qualified and to hold a single valid driver's license (CDL); and
- Disqualify drivers who do not operate **Commercial Motor Vehicles (CMVs)** safely.

### Commercial Driver's License Information System (CDLIS)

The CDLIS enables the States to exchange information about the driving records and *driver's licenses* of CMV drivers. This helps assure that only one license is issued to a driver and that drivers currently disqualified are prevented from obtaining a CDL. *Employers* have access to the CDLIS clearinghouse through their State's vehicle licensing agency.

### Vehicles requiring commercial driver's licenses

Drivers must hold CDLs if they operate in interstate, intrastate, or foreign *commerce* and drive a vehicle:

- With a Gross Vehicle Weight Rating (GVWR) or Gross Vehicle Weight (GVW) of at least 26,001 pounds, whichever is greater, or a lesser GVWR or GVW the Secretary of Transportation prescribes by regulation, but not less than a GVWR of 10,001 pounds; or
- Designed to transport at least 16 passengers including the driver; or
- Transporting a quantity of *hazardous materials* requiring placarding.
- Because the CDL is a State-issued license, you should check with appropriate State officials regarding particular license classes and specific exemptions.

### Notification to employer and licensing State

Upon *conviction* for *any* State or local traffic violation, a driver must notify his/her employer(s) within 30 days. This notification must be in writing and must include the following information:

- Driver's full name
- Driver's license number
- Date of conviction
- Details about the offense, including any resulting suspension, revocation, or cancellation of driving privileges
- Indication of whether the violation happened in a CMV
- Location of offense, and
- Driver's signature.

### Disqualifying offenses

No employer shall knowingly allow, require, permit, or authorize a disqualified driver to drive a CMV. Disqualifying offenses include:

- Driving a CMV while *under the influence of alcohol*.
- Driving a CMV while under the influence of a disqualifying drug or other *controlled substance*.
- Leaving the scene of an accident that involves a CMV.
- Using a CMV to commit a *felony*.
- Using a CMV to commit *serious traffic violations*.
- Using a CMV to violate an *Out-of-Service Order*.
- Using a CMV to violate the *Railroad-Highway Grade Crossing rule*.

<b>Penalties</b>	A driver convicted of a felony offense for using a CMV for manufacturing, distributing or dispensing a controlled substance is disqualified for life, but may be eligible for reinstatement after ten years.
<b>Suspensions for traffic violations</b>	A 60-day suspension will be imposed following conviction for <i>two serious traffic violations</i> within three years while driving a CMV.
<b>60-day suspension</b>	<p>These violations include:</p> <ul style="list-style-type: none"> <li>• Excessive speeding (15 miles per hour or more above the posted speed limit in a single offense)</li> <li>• Reckless driving, improper or erratic lane changes, or following the vehicle ahead too closely; and</li> <li>• Traffic offenses involving a fatal accident.</li> </ul>
<b>120-day suspension</b>	A 120-day suspension will be imposed following three convictions of any serious violations within three years.
<b>Implied consent</b>	Any CDL holder is automatically considered to have consented to alcohol testing by any State or jurisdiction.
<b>Endorsements</b>	<p>In addition to general knowledge and skills tests, drivers who operate specialized commercial motor vehicles must pass additional tests and obtain endorsements on their CDLs, as follows:</p> <p><b>T</b> — Double/triple trailers (knowledge test only)  <b>P</b> — Passenger (knowledge and skills tests)  <b>N</b> — <i><b>Tank vehicle</b></i> (knowledge test only)  <b>H</b> — Hazardous materials (knowledge test only)  <b>X</b> — Combination of tank vehicle and hazardous materials (knowledge tests)</p>
<b>Air brake restrictions</b>	<p>If an applicant fails the air brake section of the knowledge test, or performs the skills test in a vehicle not equipped with air brakes, his/her CDL, if issued, will indicate that the license holder may not operate any CMV equipped with air brakes.</p> <p><i>Note: For the purposes of the skills test and the license restriction, air brakes include any braking system that operates fully or partially on the air brake principle.</i></p>